

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
JAMES BONINI
CLERK

04 JUN -1 PM 4:23

JOHN R. WALKER,

Petitioner,

v.

JEFFREY A. WOLFE, Warden,

Respondent.

Case No.: 01-CV-848

Senior District Judge Weber

Magistrate Judge Black

MOTION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE ANSWER

Petitioner respectfully requests this honorable Court to grant an extension of time within which to file answer to Respondent's Motion to Dismiss pursuant to Federal Civil Rules of Procedure, FRCVP Rule 6(b) and Rule 81(a)(2), 28 USCA; and S. D. Ohio, Local Civil Rule 6.1(b). Petitioner has been overwhelmed by:

- (1) The receipt of the ORDER, Doc. 29, long delayed, **See Ex 1** and (Return receipt 5/20/04);
- (2) The receipt of Respondent's Motion to Dismiss on 5/21/04; and
- (3) the numerous medical and mental exams, tests, and procedures this week and next, some of which were scheduled five months go.

See **Wilkerson v. Jones**, 211 F.Supp.2d 856 (E.D. Mich. 2002); **Victoria's Secret Stores v. Artco Equipment Co.**, 194 F.Supp.2d 704, 733 (S. D. Ohio 2002).

Therefore, petitioner requests an enlargement of time up to and including June 19, 2004, within which to answer Respondent's Motion to Dismiss.

Respectfully submitted.

By: 

John R. Walker-pro se
1416 Armfield Road
Apartment H
Richmond, VA 23225-7542

Other Documents

1:01-cv-00848-HJW-DSP Walker v. Wolfe

U.S. District Court**Southern District of Ohio****Notice of Electronic Filing**

The following transaction was received from ph, entered on 5/11/2004 at 3:06 PM EDT and filed on 5/11/2004

Case Name: Walker v. Wolfe

Case Number: 1:01-cv-848

Filer:

Document Number:

Docket Text:

Pursuant to phone call from plaintiff, plaintiff's address was changed and copy of document # 30 was reissued via cert mail. (ph,)

The following document(s) are associated with this transaction:

1:01-cv-848 Notice will be electronically mailed to:

Diane Duemmel Mallory dmallory@ag.state.oh.us

1:01-cv-848 Notice will not be electronically mailed to:

John R Walker
1416 Armfield Road # H
Richmond, VA 23225-7542

03/06/2003	25	JUDGMENT: by Clerk pursuant to document 24, (cc: all counsel) (no pgs: 1) (ph) (Entered: 03/06/2003)
<hr/>		
10/23/2003	26	MOTION to Reopen Case by Petitioner John R Walker. (ph,) (Entered: 10/24/2003)
<hr/>		
10/23/2003	27	MOTION to Appoint Counsel by Petitioner John R Walker. (ph,) (Entered: 10/24/2003)
<hr/>		
11/21/2003	28	NOTICE of Change of Address by Petitioner John R Walker (ph,) (Entered: 11/24/2003)
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03/19/2004	29	ORDER granting 26 Motion to Reopen Case. Respondent shall file a return of writ in accordance with this Court's original order within 60 days. Denying 27 Motion to Appoint Counsel. Signed by Judge Herman J. Weber on 3/19/04. (Attachments: # (1) cert.recpt.) (do,) (Entered: 03/19/2004)
<hr/>		
03/29/2004	30	Mail Returned as Undeliverable (doc. # 29). Mail sent to John R. Walker (ph,) (Entered: 03/29/2004)
<hr/>		
04/05/2004		Judge David S Perelman added. Judge Jack Sherman no longer assigned to case. (jl,) (Entered: 04/05/2004)
<hr/>		
05/11/2004		Pursuant to phone call from plaintiff, plaintiff's address was changed and copy of document # 30 was reissued via cert mail. (ph,) (Entered: 05/11/2004)
<hr/>		

30	Filed & Entered:	03/29/2004	Mail Returned
	Docket Text: Mail Returned as Undeliverable (doc. # 29). Mail sent to John R. Walker (ph.)		
--	Filed & Entered:	04/05/2004	Add and Terminate Judges
	Docket Text: Judge David S Perelman added. Judge Jack Sherman no longer assigned to case. (jl.)		

PACER Service Center			
Transaction Receipt			
05/11/2004 10:11:32			
PACER Login:	jw1202	Client Code:	
Description:	HistDocQry	Case Number:	1:01-cv-00848-HJW-DSP
Billable Pages:	3	Cost:	0.21

Paul Hennessey, Deputy Clerk, said on May 11th, 2004, that he would mail Doc. 29 to the correct address after he updated the computer records.

CERTIFICATE OF SERVICE

I hereby certify that one true copy of the foregoing was mailed prepaid 1st Class mail to Jim Petro, Attorney General of Ohio, c/o Diane Mallory, Assistant Attorney General, Corrections Litigation Section, 150 East Gay Street, 16th Floor, Columbus, Ohio 43215, on the 26th day of May, 2004.

By: 
John R. Walker-pro se